

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Gregory R. FURNISH et al.)	Group Art Unit: 3732
)	
Application No.: 10/774,330)	Examiner: Hao D. Mai
)	
Filed: February 6, 2004)	Confirmation No. 8531
)	
For: BALL AND SOCKET CORONARY STABILIZER		

TERMINAL DISCLAIMER PURSUANT TO 37 CFR 1.321(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned, on behalf of the petitioner, TELEFLEX INCORPORATED, represents that the petitioner, TECHNOLOGY HOLDING COMPANY II, a wholly-owned subsidiary of TELEFLEX INCORPORATED is the owner of 100% of:

(i) the entire right, title and interest of U.S. Application No. 08/792,151, filed on January 31, 1997 for BALL AND SOCKET CORONARY STABILIZER, now issued as U.S. Patent 6,254,535, by virtue of an Assignment from inventors Christopher S. Looney and Gregory R. Furnish to Genzyme Corporation, executed on April 22, 1997, recorded at Reel 008776, Frame 0155; and by virtue of an Assignment from Genzyme Corporation to Teleflex-CT Devices Incorporated, executed on June 30, 2003, recorded at Reel 014363, Frame 0776; and by virtue of an Assignment from Teleflex-CT Devices Incorporated to Technology Holding Company II, executed on December 17, 2003, recorded at Reel 016059, Frame 0332; and

(ii) the entire right, title and interest in the above-captioned U.S. Application No. 10/774,330, by virtue of its relationship as a continuing application of co-owned and co-invented U.S. Patent Application 10/071,310, now issued as U.S. Patent 6,689,054. The entire, right, title, and interest in U.S. Patent Application 10/071,310 was conveyed by virtue of an Assignment from inventors Christopher S. Looney and Gregory R. Furnish to Genzyme Corporation, executed on April 22, 1997; and by virtue of an Assignment from Genzyme Corporation to Teleflex-CT Devices Incorporated, executed on June 30, 2003, recorded at Reel 014363, Frame 0776; and by virtue of an Assignment from Teleflex-CT Devices Incorporated to Technology Holding Company II, executed on December 7, 2004, recorded at Reel 017388, Frame 0687.

Petitioner hereby certifies that the recited Assignments have been reviewed and, to the best of petitioner's knowledge and belief, title is in petitioner who is seeking to take this action.

Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 10/774,330 which would extend beyond the expiration of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,254,535, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 10/774,330 shall be enforceable only for and during such period that the legal title to U.S. Patent 6,254,535 shall be the same as the legal title to said patent issuing from the above-captioned U.S. Application No. 10/774,330, this agreement to run with any patent granted on the above-captioned U.S. Application No. 10/774,330 and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 10/774,330 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,254,535 in the event that U.S.

Patent 6,254,535 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned whose signature and title appear below is an attorney of record and thus empowered to act on behalf of petitioner.

I declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001, Title 18, of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

BAKER & HOSTETLER LLP



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Date: November 3, 2008
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